

#### REMARKS AND ARGUMENTS

In response to the Examiner's objection, the title has been amended.

There are no amendments to the specification.

The Examiner has objected to the drawings under 37 CFR 1.83(a). The Examiner states that the drawings are only showing an apparatus in which a card game is played whereas the claims are all method claims.

Applicant traverses this objection and requests that the Examiner reconsider his objection to the drawings or specifically set out which steps of the method of the claims is not shown in the drawings. The only comment that the Examiner has in his objection is that the drawings show an apparatus.

The Examiner is directed to Figure 1 that shows the initial deal of the cards. Figure 2 then shows the deal of two additional hands which the player has become entitled because a predetermined arrangement of cards was dealt in the initial hand as shown in Figure 1. The method of play of the claims is described in the specification at page 15, line 3 through page 20, line 4.

If the Examiner feels that the nature of the case admits, Applicant is willing to provide a flow chart figure showing the method of play although Applicant submits that such would be unnecessary for a person skilled in the art to understand the invention.

#### COMMENTS REGARDING CLAIM REJECTIONS

A. Rejection of Claim 1 as being indefinite under 35 U.S.C. 112, second paragraph.

Claim 1 has been amended to more particularly point out and distinctly claim what Applicant regards as the invention. Claim 1 has been amended to specify that the play of the draw poker hand relates to the initial draw poker hand that was dealt.

B. Rejection of Claims 1-7 as unpatentable over Slomiany et al. (6612927).

Claims 1-7 stand rejected under 35 U.S.C. 103 as being unpatentable over Slomiany et al. Applicant submits that the claims, as amended, patentably distinguish over this reference.

Slomiany discloses a draw poker game in which the player moves through various rounds of a draw poker game as long as the player

has a winning outcome on the previous round of the draw poker game.

However, Claim 1 requires that the player receives a second round of play of a poker game having at least two hands if the player receives a predetermined arrangement of cards on the initial deal of the first round of the poker game. This is substantially different than the method disclosed by Slomiany.

Slomiany requires that the player having a winning outcome at the end of the first round of play; and, if such winning outcome occurs, then the player is eligible to go to the next round of play.

Claim 1 specifies only that the player be initially dealt a predetermined arrangement of cards to be eligible to go to the second round of play. In the method of the present invention, the player may or may not win on the first round -- such is irrelevant to the player being eligible to go to the next round.

Furthermore, Slomiany only discloses that each subsequent round of play be a single hand of play. There is no teaching or suggestion in Slomiany that the second round of play must be at least two hands of cards. The Examiner merely concludes that the second round of play could be multiple hands, but there is no

factual basis relied on by the Examiner for this conclusion.

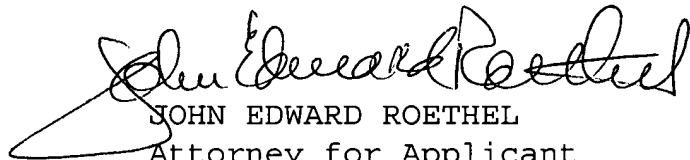
Claims 2-7 depend, directly or indirectly, from Claim 1 and are submitted to be allowable for the same reasons that Claim 1 is allowable.

C. Conclusion.

Applicant submits that all of the claims pending in this application, Claims 1-7, are in compliance with 35 U.S.C. 112 and are allowable over the prior art of record and the Examiner is requested to reconsider the rejections of Claims 1-7 and to find that these claims are now allowable.

If the Examiner has further questions regarding this application, the Examiner is requested to call undersigned counsel.

Respectfully submitted,

  
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